

By: Thompson

H.B. No. 2727

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of cosmetology, including the application of eyelash extensions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.002(a), Occupations Code, is amended to read as follows:

(a) In this chapter, "cosmetology" means the practice of performing or offering to perform for compensation any of the following services:

(1) treating a person's hair by:

(A) providing any method of treatment as a primary service, including arranging, beautifying, bleaching, cleansing, coloring, cutting, dressing, dyeing, processing, shampooing, shaping, singeing, straightening, styling, tinting, or waving;

(B) providing a necessary service that is preparatory or ancillary to a service under Paragraph (A), including bobbing, clipping, cutting, or trimming; or

(C) cutting the person's hair as a separate and independent service for which a charge is directly or indirectly made separately from charges for any other service;

(2) weaving or braiding a person's hair;

(3) shampooing and conditioning a person's hair;

(4) servicing a person's wig or artificial hairpiece

on a person's head or on a block after the initial retail sale and servicing in any manner listed in Subdivision (1);

(5) treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, or trimming;

(6) cleansing, stimulating, or massaging a person's scalp, face, neck, or arms:

(A) by hand or by using a device, apparatus, or appliance; and

(B) with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or cream;

(7) beautifying a person's face, neck, or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream, or appliance;

(8) administering facial treatments;

(9) removing superfluous hair from a person's body using depilatories or mechanical tweezers;

(10) treating a person's nails by:

(A) cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring; or

(B) attaching false nails; ~~or~~

(11) massaging, cleansing, treating, or beautifying a person's hands or feet; or

(12) applying semipermanent extensions to a person's eyelashes.

SECTION 2. Subchapter A, Chapter 1602, Occupations Code, is amended by adding Section 1602.004 to read as follows:

1 Sec. 1602.004. RULES REGARDING EYELASH EXTENSIONS. The
2 commission shall adopt rules establishing reasonable standards for
3 the materials used in the application of semipermanent eyelash
4 extensions.

5 SECTION 3. Subchapter F, Chapter 1602, Occupations Code, is
6 amended by adding Section 1602.2581 to read as follows:

7 Sec. 1602.2581. ELIGIBILITY FOR A SPECIALTY CERTIFICATE FOR
8 EYELASH EXTENSION APPLICATION. (a) A person holding a specialty
9 certificate for eyelash extension application may perform only the
10 practice of cosmetology defined in Section 1602.002(a)(12).

11 (b) To be eligible for a specialty certificate for eyelash
12 extension application, an applicant must:

13 (1) be at least 17 years of age; and

14 (2) have completed an apprenticeship training program
15 approved by the commission.

16 (c) The commission shall adopt rules regarding the
17 apprenticeship training program and may establish or designate
18 approved apprenticeship training programs.

19 (d) The rules adopted under Subsection (c) may not require
20 that a person complete more than 50 hours of training in order to be
21 eligible for a specialty certificate for eyelash extension
22 application.

23 (e) The rules adopted under Subsection (c) must allow an
24 applicant to satisfy a portion or all of the apprenticeship
25 training program requirement of Subsection (b)(2) by demonstrating
26 relevant work experience completed before September 1, 2011. This
27 subsection expires September 1, 2013.

1 SECTION 4. (a) Not later than December 1, 2011, the Texas
2 Commission of Licensing and Regulation shall adopt rules to
3 implement Sections 1602.004 and 1602.2581, Occupations Code, as
4 added by this Act.

5 (b) A person is not required to hold a specialty certificate
6 issued under Section 1602.2581, Occupations Code, until January 1,
7 2012.

8 SECTION 5. This Act takes effect September 1, 2011.